

Chapter 8

Public/Agency Comments and Responses

This chapter presents comments received on the Preliminary EA and the response to these comments. Comments were received from state and local agencies, non-profit organizations, and private citizens via e-mail, letter, fax, and at the public meetings held on February 11, 2003 in Cosmopolis and on February 12, 2003 in Raymond.

The comments received were subdivided into individual comments addressing specific topics, which are organized by chapters and sections that correspond to the organization of the EA. Each comment was given an identifying number that corresponds to the order in which the comment was logged in to the official BPA comment file. Therefore, more than one comment addressed in this chapter may have the same number because they are different parts of one comment.

The following comments were received:

Comment #10, E-mail from Craig Zora, Aquatic Lands Division of the WA State Department of Natural Resources

Comment #11, Comments written on flip charts at February public meetings

Comment #12, Fax from Dale R. Seaman, City of South Bend

Comment #13, E-mail from Jason Dunsmoor, P.E. Chief of Engineering & Operations, PUD No. 2 of Pacific County

Comment #14, Letter from David John Weiss, private citizen

Comment #15, Letter from Jeri Berube, WA State Department of Ecology, Administrative Coordinator, Southwest Regional Office, dated Feb. 20, 2003,

Comment #16, Letter from Jeri Berube, WA State Department of Ecology, Administrative Coordinator, Southwest Regional Office, dated Feb. 21, 2003

Comment #17, E-mail from Arthur Grunbaum, Friends of Gray Harbor

Comment #18, Letter from Gary Graves, Forest Practices District Manager, WA State Department of Natural Resources

Comment #19, E-mail from Abraham Ringel, private citizen, dated March 11, 2003

Comment #20, E-mail from Abraham Ringel, private citizen, dated February 23, 2003

As a result of reviewing and responding to the comments received, some changes were made in the Preliminary EA. Substantive changes to Chapter 1, 2, and 3 of the Final EA are marked using underlines for added text or strikethrough text for deleted material.

Chapter 1 Purpose of and Need for Action

Section 1.3 Purposes of Action

Comment 11: *The Pacific County PUD wants to see the project go ahead this year because of reliability concerns.*

Response: The Rebuild Project has received funding for Fiscal year (FY) 2004, with some funds extending into FY 2005. Because FY 2004 begins on October 1, 2003, cannot start until

2004. BPA is acutely aware of the age and condition of this transmission line but adequate funding was not available to implement the project in FY 2003.

Comment 13: *In the past fifty years the District has endured many "bumps" on the transmission system due to outages on the Ray-Cosi line. The existing line has out lived its service life and is inadequate to serve the needs of a reliable transmission system for the District and the customers of Pacific County.*

Response: BPA proposed this project in light of the poor condition of the line and reliability concerns and proposes to begin rebuilding the line as soon as funds are available, in fiscal year 2004.

Comment 13: *The Ray-Cosi line is far overdue to be re-built, it would be fiscally irresponsible to not go forward with the project given the fact that BPA was recently appropriated \$700 Million in borrowing authority.*

Response: The money that was recently appropriated for extra borrowing authority would be used to cover agency-wide needs and expenses, based on priority. Within the Transmission Business Line, there are a number of transmission line projects that are proposed and there are not adequate funds to currently cover the expenses of building all of them should they be approved. Some of the larger transmission line projects that are currently approved are very expensive projects to build, such as the Grand Coulee Bell and the Schultz-Wautoma Transmission Line Projects. Besides new Transmission Business Line projects, there are other programs and projects that also compete for funding, such as Power Business Line Projects.

BPA Chief financial Officer, Jim Curtis, addressed the financial crisis in early April in a briefing to the Northwest Power Planning Council. He stated that without a rate increase, successful cost reductions or some combination thereof, BPA projects a cash deficit in 2006 of \$690 million. Mr. Curtis said, "We need to take action on rates and costs. We also have capital limitations, even with the new \$700 million in borrowing recently granted by Congress. If we don't successfully restore borrowing authority by paying Treasury this and every year and if we don't proceed with debt optimization, our borrowing authority is consumed by 2007-2010, which means very shortly we would need to start constraining capital programs." He also told the Council that BPA cannot expect Congress to further extend BPA's borrowing authority.

BPA's financial crisis unfortunately resulted in a delay of one year in implementing this project.

Comment 11: *Leave the new poles galvanized. Do not pay to dull them to save money.*

Response: BPA made the decision to leave the poles galvanized and not pay extra money to have the manufacturer dull them. The cost of dulling the structures would be approximately \$250,000. The galvanized steel structures will weather over several years to the same dull finish that we would pay for. The extra expense for dulling the structures was not considered acceptable because BPA did not receive any comments from the public on visual issues requesting dulled structures and because they will naturally dull over time.

Comment 13: *The right-of-way clearing this past summer improved many areas of the line, but failed to complete the task at hand. This is apparent, if there are still trees left on the right-of-way that can be felled into the line. (BPA Note: This comment is from the Pacific County PUD and followed several paragraphs discussing outages so it relates to reliability issues.)*

Response: The BPA Danger Tree Removal Project was a separate project, conceived of and planned before the Rebuild Proposal and done for the purpose of improving the reliability of the existing transmission line. Danger trees are trees that could potentially grow, fall, or bend into the lines from the area next to the right-of-way. They are targeted for removal based on the tree's overall condition, the ground around it, the tree species, and any other defects that might cause the tree to be unstable and therefore more likely to fall into the transmission line. The BPA forester examined tree stands along the right-of-way and decided to leave trees in several areas for various reasons including:

- Douglas fir was left growing adjacent to the transmission line in several stretches because it is a stable species.
- BPA made the decision to only cut trees in areas where landowners were willing to accept compensation for the trees, rather than acquire rights through condemnation. BPA is currently negotiating with these landowners to cut trees.
- In two areas, trees were not cut because the Rebuild Project planning process began during the last six months of planning the Danger Tree Removal Project and two realignment areas were created to protect sensitive resources. Danger trees were not cut in these areas because it was anticipated that the transmission line might be moved out of these areas under the Rebuild Project, eliminating the need to cut these trees in sensitive areas.

Comment 13: *The public meeting held on 2/12/03 concerning the re-construction of the Ray-Cosi line revealed the possibility of the project not going forward this year or even at all. On behalf of the Public Utility District No. 2 of Pacific County I would like to express our concerns. BPA knows the statistics on outages for this particular line, so I do not see the need to reiterate them here. A considerable amount of time and money has been spent on the design and permitting of this project, along with the recent right-of-way clearing last summer. I would hate to see this money wasted prolonging the construction and then having to duplicate the work again in the future.*

Response: The delay in implementing the project will not result in much additional expense, if any, for design and permitting. The permits that will be obtained and the consultation process will be valid for the work that would be done in fiscal year 2004 and 2005.

The BPA Danger Tree Removal Project, conducted last year, was done based on the need to improve the reliability of the existing transmission line, although in some areas trees were not removed because realignments were proposed under the Rebuild Project. Currently, there is less potential for tree-caused outages than before the trees were removed.

Chapter 2 Proposed Action and Alternatives

General Comment

Comment 11: *Could the project be delayed due to lack of funding?*

Response: BPA proposes to begin rebuilding the line when funds are available, in fiscal year 2004.

Chapter 3 Affected Environment, Environmental Consequences, and Mitigation

General Comments

Comment 20: *Will proposed mitigations to damage be included in the draft Environmental Assessment?*

Response: Proposed mitigation measures were included in Chapter 3 of the Preliminary EA. These mitigation measures are included in the Final EA (Chapter 3 and Appendix D) and incorporated into the FONSI, obligating BPA to implement all mitigation measures. The construction requirements are developed based on the Mitigation Action Plan and then incorporated into the construction specifications.

Comment 19: *May I also suggest that an environmental organization be a formally authorized inspector and arbiter of environmental and mitigation measures (which should be carefully and fully defined). The Grays Harbor Audubon Society appears to be the premier local environmental organization. There might be others, such as the Sierra Club, but they don't have a strong presence in the area. Certain factors, including my lack of appropriate experience, make me hesitate to step forward, but I would very much appreciate being kept informed of how things are progressing. Again, many thanks to you and the other good people involved in preserving the environmental characteristics that make this area desirable and unique.*

Response: Because BPA is committed to implementing the mitigation measures and complying with environmental regulations during the construction phase of the project, there will be a variety of individuals responsible for compliance. For this reason, we do not contemplate hiring or designating an outside individual at this time but we understand your concerns. Individuals who will be responsible for environmental compliance include:

- BPA recently created a new position in response to the need to have one person responsible for oversight in coordinating environmental mitigation compliance. The BPA Environmental Resource Requirements Coordinator would be responsible for oversight of the implementation process, including resolving any problems or deficiencies that arise.
- The construction inspector will work closely with the Requirements Coordinator and the two BPA Environmental Specialists who have been working on the project in order to ensure compliance with mitigation measures and environmental regulations. Meetings and site visits will be conducted prior to the beginning of the project to identify sensitive sites, go over materials (maps and written documents), explain procedures for implementing mitigation, and methods to provide notification and receive assistance if

there are any problems or questions that arise when an environmental specialist is not on site.

- The two BPA Environmental Specialists and the Requirements Coordinator will make periodic site visits to monitor compliance and address any questions/issues.
- The contractor is required to hire a qualified erosion and sediment control manager to implement the SWPP Plan, who has been certified through the Washington Department of Transportation Construction Site Erosion and Sediment Control Course (or a similar course or certification program).
- The local WDFW Habitat Biologist will be informed of the timing and location of all in-stream work so that they can monitor the work and visit the site if desired.

Comment 19: *One concern is the lack of details regarding mitigation of potential and actual environmental damage. The PEA abounds with statements such as "An environmental specialist will meet with contractors and inspectors in the field to visit wetlands . . ." and "Roads will be designed and constructed to minimize . . ." (pars. 3.6.3 and 3.7.3); "Erosion control measures to avoid sedimentation of [wetlands, or floodplains, as applicable] will be used..." (pars. 3.7.3 and 3.8.3); and "Proposed roads and structures and structures would be located to avoid floodplains where possible." (par. 3.8.3) Reference to appropriate plans and specifications might be appropriate.*

Response: As you noted, mitigation measures that will be implemented are listed in the appropriate sections of Chapter 3. These measures are discussed at an adequate level of detail to inform decision-makers, and more detailed information on how they will be implemented is not included. A more detailed description on what they entail and where and how they will be implemented is in the Mitigation Action Plan (Appendix D) of the Final EA. The construction requirements are developed based on the Mitigation Action Plan and then incorporated into the construction specifications. The Stormwater Pollution Prevention plan is the part of the construction specifications that contain the construction requirements for preventing and controlling erosion and sedimentation.

The process of developing a mitigation framework began during the design process when decisions were made on where to locate roads and structures so as to avoid sensitive resources. Details on this process are not included in the EA except in general terms because many individual decisions were involved in this ongoing process. The mitigation process also included developing mitigation measures to implement during and after construction.

In addition to the mitigation measures in the EA, mitigation is also included in the permits and written conservation recommendations received from various agencies during the consultation process. Mitigation measures will be included in the Erosion and Sediment Control Plan (ESC) and the Stormwater and Pollution Prevention (SWPP) Plan, which include the details of implementing these plans.

A Mitigation Action Plan was developed that compiles all the mitigation measures from all sources into a single document. It refers to the source of the mitigation measure and details how it will be implemented and who is responsible to ensure that it is implemented. If details are not included in the Mitigation Action Plan, it refers to the specific document where the details can be

found, such as the SWPP. The environmental construction requirements that are part of the construction specifications are taken directly from the Mitigation Action Plan. A team of BPA staff will follow the implementation of mitigation measures, coordinated by the Environmental Resource Requirements Coordinator, and assisted by the two Environmental Specialists who worked on the project, the inspector, and the qualified erosion and sediment control manager hired by the contractor.

The details of how to implement mitigation in the Mitigation Action Plan are very clear and specific. In addition, a full set of maps of the project area are being created that depict the location of all sensitive areas and resources with information on each resource and where restrictions and special procedures can be found. These maps, which are included in the construction specifications, will be discussed at all pre-bid meetings with potential contractors, the contractor who is awarded the contract for this project, and the project inspector. They will be used at all site meetings regarding environmental issues.

Some mitigation measures, such as the marking and flagging of sensitive resources, such as wetlands or trees to be cut as snags, will be implemented by environmental specialists. The details of the best way to do this are worked out with the project team based on prior experience implementing the mitigation measure, site characteristics that may influence implementation, and the recommendations of various stakeholders. Adjustments are made when any potential or actual problems are encountered.

Comment 19: *May I suggest that control of the project might be enhanced by thoroughly detailing all construction design requirements and specifications that might apply to the project, and referring to such in a final Environmental Assessment? (That might already be in the works.) Failing that, as documented by my experience in design, construction and contracts, construction contractors would legitimately follow the most expedient, economical course during the life of the project.*

Response: The Mitigation Action Plan incorporates all the details of implementing the mitigation measures found in the EA and includes information on where each measure should be implemented.

As you mention, without a sufficient amount of detail, it is possible that contractors would not carry these agreements out in such a way as to fully implement them. BPA is very aware that to honor the intent of the agreements, sufficient detail must be provided to the contractor so they can factor in the amount of work it will entail into their bid. A great deal of time and attention is devoted to careful use of language to ensure contractors understand what they must do. Part of the purpose of pre-bid and pre-construction meetings is to provide verbal clarification and then modify the documents if needed. The construction specifications will be very detailed in an effort to avoid the need for contract modifications while work is in progress.

Section 3.3 Geology and Soils

Comment 19: *"Culverts, cross-drains, and water bars will be spaced and sized properly" (par. 3.3.3) The word "properly" is subject to interpretation. Construction/engineering*

plans/specifications would be the best determinant of a definition; reference to such plans etc. might avoid problems.

Response: BPA designs culverts, ditches, intercepting dips, and water bars using construction drawing (typical sections). The road engineer lists the specific locations where these structures should be installed, based on site characteristics. The choice of where to place these structures and the number of structures that will be installed will not be left to the discretion of contractors. The final location and number of culverts, cross-drains, and water bars will be verified in the field to ensure they will function correctly as designed. For these types of structures, BPA applies BMPs listed in Section 3 (Guidelines for Forest Roads) of the Washington Forest Practices Board Manual (See the Road Related Best Management Practices section). Guidelines for spacing of drainage structures are in Appendix C of the BPA document, Transmission Engineering Standard Access Roads.

Section 3.4 Vegetation

Comment 19: *Statements such as "Revegetate disturbed areas with native seed" (pars. 3.4.3, 3.2.3, and 3.5.3) appear indefinite. Specifications might help avoid possible conflicts among all parties, including landowners, regarding the types and adequacy of revegetation.*

Response: The following native grass seed mix would be used for revegetating disturbed areas, at a seeding rate of 50 pounds per acre:

- Blue wildrye (*Elymus glaucus*), native grass, 30% by weight
- Red fescue (*Festuca rubra*), 30% by weight
- Regreen (a Trade name for *Triticum x Agropyron*), sterile wheat, 20% by weight
- Mannagrass (*Glyceria occidentalis*, *G. striata* or *G. elata* depending on availability), native grass, 10% by weight
- California brome (*Bromus carinatus*), native grass, 10% by weight

This seed mix is specified in the Mitigation Action Plan and construction specifications that the contractor must follow. Although one component, Regreen, is not a native species, it was included in the mix because it provides quick cover by germinating very fast. It does not persist on the site because it is a sterile species and it is not a perennial species. Different species in the mix are adapted to grow in different water regimes, making it suitable for wetlands and uplands. This mix was used in 2002 for revegetating areas disturbed during the Danger Tree Removal Project and good germination and coverage was achieved.

In an effort to work with landowners and minimize the potential for conflicts over revegetation of disturbed areas, the BPA realty specialist made contact with all the landowners either by phone, mail, or in person and discussed the new locations of the structures. Weyerhaeuser owns approximately 85% of the land in this project and there are not a large number of private landowners. The realty specialist explained that any disturbed areas would be restored as near as possible to their natural state and seeded with a native seed mix. She explained that trees would not be planted on the right-of-way because it would present future problems with line safety. At this point she has not encountered any conflicts or issues, but should some arise during

implementation of the project, a site meeting would be held to determine the best way to resolve the issue.

Comment 19: *"Develop a noxious-weed control program . . ." (pars 3.3.3 and 3.4.3) might be more effective if preparation were to be done in accordance with specified parameters and contingent on approval by a specified agency.*

Response: The components of a noxious weed control plan are included in the Mitigation Action Plan to address the site-specific conditions of this project, the species known to occur in the project area, regulatory requirements for control of certain species, and the type of activities that will occur. The noxious weed control plan will be fully developed and then submitted to both the Grays Harbor and Pacific County Weed Control Boards for comments prior to implementation. After construction, any subsequent weed control activities would be done under BPA's Transmission System Vegetation Management Program Final Environmental Statement (May 2000).

Sections 3.5 Fish and Wildlife, and 3.6 Water Quality

Comment 14: *I have read most of the related documents and have had several field visits of the Raymond-Cosmopolis Transmission Line Rebuild Project. The major problem I encountered with the project was the power line roads. The road system used to access and maintain the power line is poorly designed, poorly built and not maintained. The current road system directly impacts water quality and fish habitat, and will continue to do so until correctly designed and maintained regularly. Aside from the feel good environmental information in the documents the text in the related documents and the comments from Bonneville Power Staff is very clear, BPA is not required to build or maintain their roads to any specific standards. BPA does not acknowledge it has a severe problem with its road system, or that there is continued environmental damage from old and new BPA roads. It is not what you are required to do, it is what is correct to do for the environment.*

Response: To protect water quality and fish habitat, preventative measures and the use of Best Management Practices (BMPs) that would prevent sediments from entering waterways are part of the design, construction, and maintenance plans.

Design elements (including location) incorporated into the project include:

- Careful selection of the location of new roads to avoid water resources, including wetlands, where possible
- Culverts appropriately sized to meet 100-year flood flows and allow debris and fish passage as applicable
- Crossdrains and waterbars on slopes above waters, spaced appropriately, utilizing guidelines in the Washington Forest Practices Act and BPA's Transmission Engineering Standard Access Roads
- An existing ford is being improved based on the direction provided by the WDFW Habitat Biologist
- Roads will be gated to prevent the wear and tear from the use of unauthorized vehicles, unless the use by others makes the use of a locked gate infeasible

Measures that will be in place during construction:

- Sediment and erosion control measures will be in place prior to conducting any clearing, grading, or construction
- Construction will take place during the dry season
- Temporary rather than permanent approaches will be constructed in wetlands, during the dry season to minimize water quality impacts and areas will be restored upon completion of construction
- All permit conditions in the HPA and the 404 permit will determine how and when in-stream work is conducted
- Roads within the BPA right of way that are used solely by BPA are left in a stable condition after construction and the road surface, ditches, cutslopes, and fill slopes are seeded and mulched to help ensure the integrity of the road so that it will be usable upon the next entrance into the area for maintenance

Regular maintenance practices include:

- Maintain road on an ongoing basis, conducting major repairs on an as-needed basis
- When culverts in fish-bearing streams are replaced, they are replaced with a culvert that enables fish to pass (For example, in 2002, 4 culverts that blocked fish passage were replaced with 3 culverts that allow fish passage (designed to meet state standards, with the assistance of the WDFW Area Habitat Biologist) and a bridge that enabled fish to pass)
- Blocked culverts are cleaned out, either immediately or on a schedule, depending on the extent of the blockage

Comment 14: *BPA must recognize the totality of the impacts it has to the natural resources of Washington State, and actively and aggressively implement changes to deal with these problems. This could be a proactive change showing that BPA is a true leader in clean power production and distribution and will continue to lead with vision and action to protect natural resources. Or BPA could ignore the impacts and wait for a boot in the ass that's big enough to make BPA implement change.*

Response: BPA considers the totality of its impacts to natural resources as part of the NEPA process, specifically through the process of considering the cumulative impacts to each resource, as required by the Council on Environmental Quality regulations. The discussion on cumulative impacts for each resource for the Rebuild Project can be found in the appropriate sections in Chapter 3 of the EA.

In addition to obligations to consider cumulative impacts under NEPA, BPA considered its impacts to resources under other statutes (Refer to Chapter 4 for a complete listing). As an example, BPA complied with both the Endangered Species Act (ESA) and the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and entered consultation to assess impacts under both statutes. Under the ESA, BPA must assess its impacts to listed species (See Section 4.2). As part of this assessment, BPA evaluated the direct and indirect effects of the proposed activities and consulted with the U.S. Fish and Wildlife Service. BPA also considered

the cumulative effects of its activities on listed species. BPA is currently in consultation with USFWS with the objective of minimizing the effects to listed species.

BPA assessed the effects of its activities on Essential Fish Habitat, as required by the MSA. BPA has consulted with NOAA Fisheries and accepted recommended conservation measures that will be taken to minimize or eliminate the impacts to Essential Fish Habitat (see Section 4.3.2).

Section 3.6 Water Quality

Comment 19: *"A Spill Control and Countermeasure Plan (SPCC) will be developed . . ." (par. 3.6.3) might be better stated " . . . developed and implemented in accordance with, and for approval by [a specified document and agency] . . ."*

Response: As a condition of the Stormwater Pollution Prevention (SWPP) Plan, the SPCC plan addresses the requirements of the U.S. Environmental Protection Agency (USEPA) regulations specified in Title 40 of the Code of Federal Regulations (CFR). These regulations codified in 40 CFR Part 112 establish the procedures, methods and equipment to prevent discharge of oil (i.e., petroleum products) from non-transportation-related onshore and offshore facilities into or upon the navigable waters of the United States or adjoining shorelines. This SPCC plan also meets the State of Washington requirements in Washington Administrative Code (WAC) Chapter 173-181, which specify the spill response, cleanup, and disposal requirements of oil. For the Spill Prevention Containment and Countermeasures (SPCC) portion of the SWPP Plan, materials such as fuels, oils, solvents, and chemicals used in operations and maintenance, solid waste products, and contaminated soils and water encountered or generated on the construction site will be managed so as not to create hazards or pollution prior to, during, and after construction.

Comment 15: *Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.*

Response: In advance of any ground disturbing or construction activities at a specific site, BPA's contractor and subcontractors would evaluate and design a site-specific erosion and sediment control (ESC) plan for that location and activity, in order to prevent impacts to waters of the U.S. They would use the BPA, state, and/or local jurisdiction best management practices (BMPs). The ESC Plan would be reviewed by BPA and no work will be done or activity conducted within the project site until BPA has agreed to the ESC Plan and the proper BMPs are installed. Typical BMPs that may be used during road construction activities may be found in the Washington Forest Practices Act Board Manual, in the text in Section 3 (Road Related Best Management Practices).

Comment 15: *Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.*

Response: The U.S. Environmental Protection Agency (EPA) and delegated states regulate the discharge of stormwater into waters of the United States through the National Pollutant Discharge Elimination System (NPDES) permitting program. Under the Storm Water Phase II program, all construction activities that result in the disturbance of one or more acres of land are being regulated, which would include this project. As part of this program, BPA would receive a general NPDES permit, which would regulate stormwater discharges associated with construction activities. For Federal facilities in the state of Washington, Federal EPA has retained enforcement and permitting authority.

The General NPDES permit requires permittees to notify the issuing agency of proposed construction activities, prepare and implement Stormwater Pollution Prevention (SWPP) plans to control stormwater pollution associated with construction activities, and to notify the issuing agency once construction ceases and the site has been stabilized. BPA would prepare a SWPP Plan to meet the requirements of the EPA General Permit of the NPDES permitting program. The EPA General Permit also requires that BPA construction projects comply with state water quality standards set by the State in the Washington Administrative Code (WAC) to ensure that non-point source pollution does not contaminate the water of the U.S., both during and after construction.

Comment 15: *Proper disposal of construction debris must be on land in such a manner that debris cannot enter the waterbodies or cause water quality degradation of state waters.*

Response: As a condition of the Stormwater Pollution Prevention (SWPP) Plan, BPA would take measures to prevent solid wastes from becoming a source of pollutants to stormwater and to prevent decomposition products of construction debris from entering waters of the state. The SWPP plan will include Best Management Practices (BMPs) to contain, segregate, store, and dispose of solid wastes consistent with state and local statutes and ordinances controlling solid waste disposal. Unused excavated material will be deposited and stabilized away from sensitive areas and in upland areas, above the 100-year floodplain level.

Comment 15: *Proper erosion and sediment control practices must be used on the construction site and adjacent areas to prevent upland sediments from entering the waterbodies. All areas disturbed or newly created by construction activities must be revegetated, use bioengineering techniques, use clean durable riprap or some other equivalent type of protection against erosion when other measures are not practical.*

Response: As a condition of the Stormwater Pollution Prevention (SWPP) Plan, sediment ponds and traps, geotextile temporary silt fencing, perimeter dikes, sediment barriers, and other Best Management Practices (BMPs) intended to trap sediment on-site would be constructed as a first step in grading. These BMPs must be functional before land disturbing activities take place. Existing vegetation (trees, bushes, shrubs, grasses) would be preserved when their removal is not necessary for the construction of the project. Because most of the existing vegetative cover would remain, permanent seeding and planting will be conducted as needed using a native seed mix. All temporary conveyance channels and outfalls would be stabilized to prevent erosion and reduce sediment transport from the site. Revegetation, erosion blankets, rock, or combinations

of these would be used to protect channels from anticipated erosive forces. Rock check dams would be installed to permanently reduce erosive forces in the conveyances and capture sediment. Erosion would be prevented at all pipe outlets by using revegetation, rock, geotextile fabric, erosion control blankets or combinations of these measures.

Comment 15: *During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The clean up of spills should take precedence over other work on the site.*

Response: The Spill Prevention Containment and Countermeasures (SPCC) portion of the SWPP Plan would include provisions to ensure that materials such as fuels, oils, solvents, chemicals used in operations and maintenance, solid waste products, and contaminated soils and water encountered or generated on the construction site would be managed so as not to create hazards or pollution prior to, during, and after construction

Provisions in the SPCC would address storage of potential pollutants. They would be stored in a manner consistent with the manufacturer's recommendations, in a secure location, away from storm drain inlets, sedimentation/detention ponds and other water bodies. Whenever possible, potential pollutants would be stored in a covered area with secondary containment. Incompatible chemicals would be stored in separate areas to prevent violent reactions, should a spill occur.

Provisions in the SPCC would address maintenance and repair. Tanks and equipment containing oil, fuel or chemicals would be checked regularly for drips or leaks and maintained to prevent spills onto the ground or into State waters. Maintenance and repair of all equipment and vehicles would occur on an impervious surface away from all sources of surface water. If the work must occur during a rain event, the work would take place undercover.

Provisions in the SPCC would address refueling. All equipment fueling operations would utilize pumps and funnels and absorbent pads. Fueling would not take place within 200 feet of natural or manmade drainage conveyances including ditches, catch basins, ponds, wetlands, and pipes. All fueling would be restricted to designated fueling areas.

Spill prevention kits would be provided at designated locations on the project site and at the hazardous material storage areas. An emergency spill response contract with a BPA approved spill response provider would be established for petroleum product or hazardous/toxic materials and in the event of a release of hazardous materials, clean up operations would start immediately.

Comment 15: *Coverage under the General Baseline Stormwater Water Permit is required for construction sites greater than five acres.*

Response: The U.S. Environmental Protection Agency (EPA) and delegated states regulate the discharge of stormwater into waters of the US through the National Pollutant Discharge Elimination System (NPDES) permitting program. As part of this program, General NPDES permits will be issued to the Bonneville Power Administration (BPA) to regulate stormwater

discharges associated with construction activities. Under Storm Water Phase II, all construction activities that result in the disturbance of one or more acres of land are being regulated. For Federal Facilities in the state of Washington, Federal EPA has retained enforcement and permitting authority. The General NPDES permit requires permittees to notify the issuing agency of proposed construction activities, prepare and implement Stormwater Pollution Prevention (SWPP) plans to control stormwater pollution associated with construction activities, and to notify the issuing agency once construction ceases and the site has been stabilized. BPA will prepare this SWPP Plan to meet the requirements of the U.S. EPA General Permit of the NPDES permitting program.

Comment 15: *Erosion and sediment control is a key to preserving habitat and preventing denudation of a developing area. The following practices are recommended:*

- *Clearing limits and/or any easements or required buffers should be staked and flagged in the field.*
- *A permanent vegetative cover should be established on denuded areas at final grade if they are not otherwise permanently stabilized.*
- *Properties adjacent to the site of a land disturbance should be protected from sediment deposition through the use of buffers or other perimeter controls, such as filter fence or sediment basins.*
- *Cut and/or fill slopes should be designed to minimize erosion. Methods such as slope roughening, terraces, or pipe slope drains may be used.*
- *Provisions should be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water clearing should only be done after area has been shoveled out or swept.*

Response:

- As a condition of the Stormwater Pollution Prevention (SWPP) Plan, specific areas that need to be avoided, such as wetlands or stream buffers, will be fenced before construction in that vicinity begins. Fencing may be orange construction fence or other approved material. In some cases, silt fence may be installed to serve two purposes: vegetation preservation and prevention of sedimentation. Signs will be posted on fences marking wetland and buffer areas to indicate that they are sensitive areas and everyone is to remain outside of the fence. All workers will receive training in wetland and buffer fencing identification, protocol to follow when the fencing is encountered, and notification and reporting if wetland or buffer incursion occurs. Wetlands that are next to access roads or work areas will be protected with silt fence if it is determined there is risk of sediment inputs into the wetland. Any areas disturbed by construction activities that drain to wetlands will be regraded to pre-existing conditions and stabilized with vegetation.
- As a condition of the SWPP Plan, appropriate structural and cover Best Management Practices (BMPs) would be used to protect adjacent properties from construction site runoff. Properties and waterways downstream from the project will be protected from erosion by preventing increases in volume, velocity and peak flow rates. Increases in storm water volumes will be minimized by preserving vegetation, by roughened exposed

slopes, and by applying mulch. In addition, surface roughening and buffer zones will serve to reduce runoff. Disturbed areas would be reseeded with a native seed mix.

- As a condition of the SWPP Plan, if cut and fill slopes are to be installed, they will be constructed in a manner that will minimize erosion. All surface runoff will be routed away from exposed soils. Slopes will be left in a roughened condition when at finish grade or whenever they will be left unworked for more than 7 days. Final stabilization BMPs will be installed within 14 days of slope completion.
- As a condition of the SWPP Plan, tracking of sediment onto paved roads will be minimized by the use of stabilized construction entrances. Wherever construction vehicle access routes intersect paved roads, provisions must be made to minimize the transport of sediment and mud onto the paved roads. If any sediment were transported onto a paved road surface, the road would be cleaned thoroughly at the end of each day. Sediment would be removed from roads by shoveling or sweeping and it would then be transported to a controlled disposal area. If rock or gravel does not prevent the tracking of sediment, a wheel wash system might be installed. If a wheel wash is used, wash water would be disposed of according to state of Washington requirements and would not at any time be allowed to enter any drainage course flowing to, or discharged to streams, wetlands, rivers, or other waters of the state.

Comment 16: *We reviewed the environmental checklist and have one additional comment to the letter previously sent on February 20, 2002. Managing roads to protect water quality in the short term during construction has been addressed in the NEPA. The steps to address environmental impacts listed in the document appear adequate. Long term plans to address water quality concerns also needs to be developed as part of the access needs for transmission line maintenance. A maintenance plan addressing the maintenance of culverts, bridges, streambank stabilization, and other activities associated with road use and maintenance needs to be developed. Blocked culverts, scour, and other events will occur that could impact water quality and will require attention. (BPA Note: This comment is the WA State Department of Ecology SEPA Administrative Coordinator.)*

Response: BPA's Transmission Field Services Access Road Plan (Plan) is followed as a guide to ensure that the Transmission Business Line (TBL) balances reliability and cost when conducting activities on access roads while complying with all applicable state, Federal, and local environmental regulations. The plan states that:

- TBL shall maintain access roads on a regular and standardized basis.
- Standardized maintenance of roads must be done in order to avoid issues such as decreased reliability due to restricted access to transmission lines and facilities, unsafe conditions to BPA employees, backlogged road workloads, and the risk of fines due to environmental violations.
- The TBL shall comply with the National Environmental Policy Act, Endangered Species Act, Clean Water Act, and all other applicable Federal, state, and local environmental regulations when conducting activities on access roads.

The roads along this transmission line are inspected on an annual basis and as part of this inspection, problems with culverts, other structures or with the road itself are noted. Problems may be fixed immediately, based on the severity of the problem, or put on a list for scheduled

maintenance. Problems with roads are also noted and reported to the BPA Region during other visits by various BPA personnel to the transmission line for other purposes.

Section 3.7 Wetlands

Comment 20: *I read with interest the preliminary Environmental assessment of the proposed Raymond –Cosmopolis transmission line upgrade. My residence is in North Cove. One of the many attractive characteristics of the area is its environmental ambience – the cleanliness and natural features make it unique among the many places in which I've lived in the United States and overseas. I do hope that during the design and construction phases of the upgrade, the importance of retaining unsullied the natural characteristics of the area be preserved. This includes preserving the wetlands, retaining appropriate wetlands buffers, and disposing of construction wastes properly.*

Response: Avoiding and minimizing environmental impacts to the natural environment that you and others value has been a major objective of the project team throughout the planning stages of the project. Chapter 3 addresses the specific natural resources in the area and explains how impacts to the resources were avoided or minimized, and the mitigation that was or will be implemented. The commitments BPA is making in the Mitigation Action Plan (Appendix D) will ensure that environmental concerns remain an important focus during the implementation of this project.

During the design process, efforts were made to avoid impacts to wetlands and their buffers. Two of the realignment areas were specifically created to move the transmission line completely out of wetlands, including the highest quality wetland in the project area. These realignment areas are located adjacent to Highway 101, which enabled the road engineers to design very short access roads in upland areas to reach the proposed structures, all of which would be in uplands.

In other portions of the transmission line, the line could not be relocated to avoid wetlands. Many of the stretches of the transmission line with wetlands are located directly adjacent to the Highway. Relocating the transmission line away from the Highway would require clearing a new right-of-way and building a new access road system, which would have a much greater impact to the environment and would also involve some wetland impacts or additional stream crossings. For that reason, relocation was not considered feasible.

Wetland buffers are discussed in the comment that follows. Proper disposal of construction wastes are discussed above in the comments addressing water quality.

Comment 17: *In my quick review of the environmental impacts of the EA, it was not clear how you arrived at the wetland impacts. In particular, there was no discussion of buffers to the wetlands. As you are aware, adequate and healthy buffers are very important to the function and value of a wetland.*

Response: The wetland impact definitions, which define what would constitute a high, medium, or low impact to wetlands are located in Appendix A, page A-4. Discussion of wetland buffers was not included in the document except in the mitigation section for wetlands (Section 3.7.3).

To make it clear that impacts on wetlands buffers was considered a wetland impact that was considered during the design process, Table B-11 was added to Appendix B, on page B-13. Table B-11 summarizes the distance that proposed structures would be located from wetlands and wetlands buffers, in relation to the location of existing structures, as an aid to assess the extent of impacts to wetland buffers.

The location of each proposed structure was analyzed to determine if they could be moved out of wetlands, out the wetland buffer, or both. The structural engineer was asked to redesign portions of the line several times (known as re-sagging the line) in order to move structures further away from wetlands and buffers.

The location of roads was not analyzed in Table B-11 or in the discussion that follows because the further structures are located from wetlands and buffers, the fewer impacts there will be from access roads to the structures. Some impacts to wetlands and wetland buffers would result from improvements to the existing road system. Improvements to existing roads resulted in fewer impacts than constructing new roads because stream crossings would be required in either case.

Because of engineering constraints, not all structures could be moved completely out of wetlands or wetland buffers. Several factors contributed to the difficulty of relocating structures. These include the strength of the conductor, strength and height limitations of the structures, topography of the area, alignment of the transmission line, width of the right-of-way, and accessibility to the structure site. Also, the span length must remain as uniform in length as possible for an efficient design. Drastic changes in span lengths, and large angles in the line require the use of dead end structures, which are larger than other structures and have a concrete foundation. A dead end structure impacts over three times the area of a suspension structure. Moving a structure could require a new access or approach road.

This transmission line has an extremely narrow right-of-way. This narrow right-of-way requires the conductor to be strung at a higher than normal initial tension in order to limit the amount of sag in the spans. Limiting the sag is necessary to provide adequate ground clearance, and prevent the conductor from swinging outside the right-of-way during windy conditions. Wetlands are often present in the flat, low-lying areas along the line, where span lengths are limited due to the strength of the conductor, as well as the strength and height limitations of the structures. Longer spans are possible when conditions allow, such as over canyon crossings, where the topography of the land can be taken advantage of to accommodate the additional sag, and still meet code requirements for ground clearance without exceeding the strength limitations of the conductor and structures.

BPA is working with Pacific County, as explained in the following comment, to address the wetland buffer requirements in their Critical Areas and Resource Lands Ordinance.

Comment 17: *It is not clear what mitigation will be in place for the temporary and permanent impacts to the wetlands and riparian areas.*

Response: BPA has submitted a Joint Aquatic Resources Permit Application to the appropriate Federal and state agencies and local governments, which details temporary and permanent

wetland and waterway impacts and lists conceptual mitigation. A detailed conceptual mitigation plan was not submitted with the application because although an applicant can submit a proposed mitigation plan, the U.S. Army Corps of Engineers (ACOE) makes the final determination on what is appropriate and practicable mitigation. BPA expects to work out the details of acceptable mitigation with the ACOE, as part of the permitting process. In addition, WDFW conditioned the Hydraulic Project Approval with mitigation measures, which included revegetation of disturbed riparian areas with woody species.

Most of the temporary wetland impacts would occur from installing a temporary road across a wetland, immediately adjacent to Highway 101, in order to reach several structures. A temporary culvert would be placed in the ditch line at the edge of the field. This wetland is regularly mowed during the summer and fall as a large field/yard extension area, and therefore the main functions are water storage and recharge and water quality improvement. A road would be temporarily constructed by placing rock on geotextile fabric during the summer months. Immediately upon completion of construction activities, the culvert would be removed and the topsoil removed from the culvert area would be replaced (previously stockpiled) and the site would be returned to the original contour. The rock road would be removed and the area would be reseeded with native herbaceous species, mainly grasses. The mix would contain both upland and wetland species because much of the wetland area is marginal and currently has a mix of upland/wetland species. The landowner does not want any woody material introduced to the site because he plans to continue to manage the area as a mowed field/yard. The functions of the wetland may be affected by soil compaction but it is not expected that the area impacted, relative to the large size of the wetland, will significantly affect the functioning of this wetland.

Similar mitigation measures would be in place for the other temporary impacts to wetlands. Two short temporary roads (approaches) would be constructed across wetlands to reach the two structures that would remain in wetlands, because they could not be moved to an upland site. The temporary fill, culvert, and geotextile would be removed and the disturbed areas would be revegetated with native species. These areas are currently vegetated mainly with small-fruited bull-rush (native species) and reed canarygrass (a non-native species), both of which are rhizomatous species that will likely regrow or recolonize the area after the fill is removed.

Permanent impacts would result from installing two structures in wetlands, road improvements that involve two stream crossings (ford and a culvert replacement), and the installation of a culvert in a ditch. The area disturbed by the installation of the culvert in the narrow roadside ditch would be recontoured and revegetated. The stream crossing areas would be revegetated as required in the HPA. All work would be done “in the dry” (which involves diverting the water around the stream through a pipe during work), following all conditions within the HPA to prevent unnecessary sedimentation.

The two structures that would be replaced in wetlands would involve an estimated 0.00011 acres of fill in Category 4 wetlands, adjacent to Highway 101. Any disturbed area around the structures would be revegetated with native species. No further mitigation has been proposed at this time for the actual fill area because it is difficult to effectively propose mitigation for such a small amount of fill, given that a likely mitigation ratio would be 3 acres of mitigation for each 1 acre impacted. It may be difficult to design meaningful mitigation for this small an impact.

Even using a functional assessment approach to determining impacts (currently the preferred approach) it is clear that impacts from the structure installation are minor because these are Category 4 wetlands, adjacent to Highway 101, with low species diversity in the vegetative cover.

A Planner from the Pacific County Department of Community Development notified BPA on April 24, 2003, that “Based upon my review, it appears that BPA will need to obtain permit approvals from Pacific County as several of the proposed transmission line structures will either be located within wetlands, or within wetland buffers regulated by Pacific County's Critical Areas and Resource Lands Ordinance (as well as several permanent and temporary roadways).” BPA is working with Pacific County to determine if mitigation is appropriate.

Trees would be cut along a short stretch of the Joe Creek riparian area in a proposed realignment area. Assuming WSDOT, the underlying landowner agrees with WDFW recommendations, the trees would be cut as snags and the tops felled across the creek. No woody material would be removed within 50 feet of the stream. Machinery would not be allowed within 50 feet of the stream. The riparian area would be replanted with native, woody species.

Comment 17: *Wetlands also provide an important function in the flow of a river system. Therefore there should be a policy of a no-net-loss and increase in function which would begin to address the goal of "long term gain."*

Response: Comment noted. As stated in the National Wetlands Mitigation Action Plan (December 24, 2002), the Bush Administration affirmed its commitment to the goal of no net loss of the Nation's wetlands. The Army Corps of Engineers (ACOE) issued a Regulatory Guidance letter on December 24, 2002 that stated:

There may be instances where permit decisions do not meet the “no overall net loss of wetlands” goal because compensatory mitigation would be impracticable, or would only achieve inconsequential reductions in impacts. Consequently, the “no overall net loss of wetlands goal” may not be achieved for each and every permit action, although all Districts will strive to achieve this goal on a cumulative basis, and the Corps will achieve the goal programmatically.

BPA will rely on the ACOE, Pacific County, and WA Department of Ecology to determine if this permit decision should meet the no net loss objective.

Comment 17: *FOGH (Friends of Grays Harbor) strongly supports assigning a high category classification to wetlands that provide hydrologic support to downstream fish bearing streams.*

Response: Comment noted. Wetlands were rated into categories based on the methodology in the Washington State Department of Ecology document, Washington State Wetlands Rating System for Western Washington.

Comment 17: *We recommend that any and all mitigation should be placed under control and auspices of a nonprofit organization to provide stewardship for that mitigation. We recommend that in addition to the transfer of mitigation areas, funds should be supplied to maintain those areas. Our further recommendation is that Grays Harbor Audubon Society should be the holder of the mitigation properties. They have a significant habitat conservation program in both Grays Harbor and Pacific Counties and are already set up to administer the details of such a program.*

Response: BPA appreciates the offer by Grays Harbor Audubon to participate in mitigation that could occur for this project. As discussed in the comments above, off-site mitigation is not currently proposed for this project. If the Army Corps of Engineers (ACOE) requires off-site mitigation for the type of impacts that would occur (in-kind mitigation), BPA will look for suitable sites and gladly accept suggestions that the ACOE might approve. The appropriate group or organization designated to control or possibly even own the mitigation area would need to be determined based on the type of mitigation project and the current ownership. For example, if mitigation was part of a project being conducted by a local or state government, they would likely control and own the mitigation area or be the party to determine the ultimate owners and managers of the site.

Comment 15: *We appreciate the efforts made to avoid and minimize impacts to wetlands and other aquatic resources. This should greatly increase the efficiency of the permit process. It may still be necessary to obtain local shoreline permits and Federal and State permits for wetland impacts. We will be happy to work with the applicant as potential impacts are further identified to ensure regulatory issues are also clearly identified. (BPA Note: Comment is from the WA Department of Ecology)*

Response: We appreciate your willingness to assist us with the permit process. BPA is currently engaged in the permitting process in the following areas:

- BPA submitted a JARPA to the Army Corps of Engineers, state agencies, and Pacific and Grays Harbor Counties for all permits and approvals required for work in Waters of the US and State, which includes wetlands
- BPA sent information to both Pacific and Grays Harbor County to address their Shoreline Management Plans and to WDOE for a Consistency Determination under the Coastal Zone Management Act
- BPA is working with Mr. Craig Zora of the Aquatic Lands Division of the Washington State Department of Natural Resources to secure an Aquatic Resources Easement, required for the transmission line to cross navigable waters, specifically the North River crossing.

Section 3.11 Socioeconomics

Comment 13: *The District has inquired into the cost of placing fiber optic cable on the new structures, at which this time the District has funding to hopefully pay for 100% of the cost, even though we have never received a cost estimate. This cable would benefit not only the District, but BPA for its internal communications. By prolonging the construction, the District may end*

up losing this funding, which would leave a large gap in upgrading high speed communications for Pacific County to the outside world.

Response: BPA recently provided Pacific County PUD a copy of the cost of the installation of the proposed fiber optic cable. We recognize that getting high-speed communications to the Raymond area is a pressing need for the community and regret that our funding situation and the subsequent delay in the construction start date could lead to the loss of funding for the Pacific County PUD to install cable on the proposed transmission line.

Comment 11: *The Pacific County PUD are concerned they will lose the funding they acquired for fiber installation. There are no other options for getting fiber to Raymond at this point (other than the Rebuild Project).*

Response: Please see the response to the comment above.

Comment 11: *The Pacific County PUD is interested in Structure 35, if they propose a North River Project in the future. Could they still tap into it? They had a 35 megawatt dam proposal in the past that would tap into the Raymond – Cosmopolis line at Structure 35.*

Response: In the future, if Pacific County PUD proposes to build the North River Project, they will need a way to transmit their power to the market. One way is to connect (tap) into the Raymond – Cosmopolis transmission line. In the future, if Pacific County PUD is interested in connecting into BPA's transmission network, they will have to apply for an interconnection and transmission agreement. BPA will review their facilities capability and determine if they can accommodate this request. The Rebuild Project does not currently make allowances for a tap at Structure 35.

Comment 11: *Is there fiber to the Cosmopolis Substation?*

Response: Presently, there is no fiber optic cable to the Cosmopolis substation. As part of the project proposal, fiber would be installed on the Raymond-Cosmopolis transmission line, and therefore would reach Cosmopolis substation. The closest BPA fiber optic cable to the Cosmopolis Substation is at Aberdeen Substation, which is about 5 miles away.

Section 3.12 Cultural Resources

Comment 11: *Pacific County Historical Society would like a structure for their new museum site to recognize the contributions of the electrical distribution system in the development of the area.*

Response: BPA will make a structure available for display at the Pacific County Historical Society. This structure will serve as a token of our appreciation for the assistance the Historical Society provided in the effort to document the contributions of this transmission line in the development of the area, as part of the cultural resources investigation. The details of donating a structure such as which structure will be the best example for display, which structure is

accessible and can be safely removed from the site, and who will transport it, will be worked out with the Director of the Historical Society.

Section 3.13 Health and Safety

Comment 11: *Take the trees out along highway – they are unsafe for drivers, they fall across the road.*

Response: When BPA cuts trees near the highway, the trees must meet BPA danger tree criteria. Danger trees are trees that could potentially grow, fall, or bend into the lines from the area next to the right-of-way. They are chosen for removal based on the tree's overall condition, the ground around it, the tree species, and any other defects that might cause the tree to be unstable and therefore more likely to fall into the transmission line. If a tree does not meet BPA danger tree criteria, BPA will not remove the tree. The Washington State Department of Transportation is the appropriate agency to contact regarding trees that could pose a threat to the safety of motorists.

Comment 12: *We (City of South Bend) have no environmental concerns per se, but are interested if any and to what extent power outages may be expected. We realize that failure to perform this work would create more and more outages through aging failure, but we need to be made aware of planned outages well in advance of the fact to ensure that we don't fail in our public mission of providing potable water and pumping sewage without spills.*

Response: Electrical service would not be interrupted as a result of the construction of the Raymond – Cosmopolis Transmission Line. The Raymond and Cosmopolis Substations each receive power from another BPA transmission line supply besides the Raymond – Cosmopolis Transmission Line. These other sources will provide power to the local community. There is a slight risk to having only one source of power while the Raymond – Cosmopolis Line is out, because an outage on the source line would not have the back-up source that normally keeps the area from experiencing black-outs. BPA will inform the Pacific County PUD of planned outages well in advance.

Chapter 4 Environmental Consultation, Review, and permit Requirements

Section 4.5 State, Areawide, and Local Plan and Program Consistency

Comment 18: *We want to thank you for providing the Department of Natural Resources (DNR) the opportunity to review this project. During this review, several locations were identified which indicated that some timber would be harvested during the construction of this project. We recommend that you follow the agreement reach between our agencies, as outlined in the letters dated March 6, and July 1, 2002, to Mr. Frederick Johnson (copies enclosed) to address our forest practices concerns. We will need a letter from your agency prior to the start of construction activities that provides assurances to the DNR that you are meeting the intent of the enclosed letters. If any locations exist along this project, where you do not meet the forest ownership criteria, as outlined in the enclosed letters, you will be required to obtain a forest practices application(s) for those locations.*

Response: BPA will follow the agreement between DNR and BPA, outlined in the letters mentioned in your comment, regarding the Forest Practices Act. BPA will provide DNR with the information needed to meet the agreement prior to the start of any construction activities, which includes any tree removal.

Comment 10: *Does the transmission line cross any rivers?* (BPA Note: this comment was from the Aquatic Lands Division of the Washington Department of Natural Resources in relation to the need for an Aquatic Resources Easement.)

Response: As discussed in Chapter 3.6, Water Quality and Appendix B of the EA, the Raymond-Cosmopolis transmission line crosses several rivers and larger creeks and parallels creeks and rivers in some areas. Some waterways are named as creeks but could just as easily be called rivers. The larger creeks and rivers the transmission line crosses are:

- Butte Creek crosses the line near Raymond between Structures 6 and 7
- Smith Creek near existing Structure 21 visible from Highway 101 (a bend of the creek comes near the line)
- Smith Creek flows near the line, crossing it between Structures 26 and 27
- Elkhorn Creek crosses the line near Structure 40
- Lower Salmon Creek crosses the line near Structure and flows near Structures 72 to 74
- Joe Creek crosses the line between Structures 90 and 91
- The North River crosses the line between Structures 120 and 121
- The Little North River parallels the line near Structures 127 to 138 (sometimes hundreds of feet from the transmission line) and crosses between Structures 141 and 142

BPA is currently working with WA DNR to submit an Aquatic Resources Easement Application for the transmission line crossing of the North River under RCW 79.90.450.